

YOUTH SERVICES POLICY

Title: Predisposition Investigation and Social History Next Annual Review Date: 08/03/2017	Type: D. Community Based Services Sub Type: 11. Investigations and Reports Number: D.11.1
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References: La. Children's Code Arts. 844; 888, 890, 891 and 901; ACA Juvenile Probation and Aftercare Standards 2-7181, 2-7182, 2-7183, 2-7184, 2-7185, 2-7186, 2-7187, 2-7188, 2-7189, 2-7190, 2-7191; YS Policy D.10.32 "SAVRY - Community Based Services"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 08/03/2015

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish requirements for Community Based Services (CBS) staff in the completion of Predisposition Investigations (PDI) and the Social History to ensure courts are provided information relevant to determining a disposition in accordance with Children's Code Art. 890.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Assistant Secretary, General Counsel, Regional Directors, Regional Managers, and all CBS employees.

IV. DEFINITIONS:

Case Staffing - A group process in which the purpose of the staffing is stated and information is presented regarding the youth's individual circumstance(s) to gain a consensus and recommendation for service options. The members present should include the Probation and Parole Officer/Juvenile (PPO/J), Probation and Parole Supervisor/Juvenile (PPS/J), Probation and Parole Regional Manager/Juvenile or designee, and at least one unbiased staff member. The youth and the youth's parent/guardian shall also be invited to participate.

Community Based Services (CBS) - Formerly known as the Division of Youth Services, including the regional probation and parole offices located throughout the state.

Continuous Quality Improvement Services (CQIS) - The performance-based and result-driven competency and efficiency management system, housed at Central Office.

Deferred Dispositional Agreement (DDA) – An agreement which takes place after the youth has been adjudicated delinquent and remains in effect for six (6) months unless the court releases the youth prior to the expiration date. The DDA may be extended for an additional six (6) months or longer if the youth is a participant in a juvenile drug court. If the youth violates the terms of the DDA or a new offense is filed against the youth, the court may impose any disposition on the deferred offense(s). If the youth successfully completes the terms and conditions of the DDA, the adjudication is set aside.

Individualized Service/Reintegration Plan (ISRP) - An individualized plan developed by the assigned PPO/J to achieve the desired results for change. The plan is accomplished through the collaborative effort of the PPO/J, youth and parent/guardian. The plan contains specific, measurable goals to address the risks, needs and protective factors. The SAVRY, Probation Order, psychological evaluation, and other pertinent information are used to develop the plan. The ISP is modified throughout supervision as need areas are identified.

Informal Adjustment Agreement (IAA) - An agreement entered into by the youth and the prosecutor before there has been a trial or adjudication. It can last for six months. It may be extended for only another six months. If satisfied, the case may be dismissed. If not, the ADA files a petition (who, what, when, where, and how of the offense (Ch.C Art. 844).

Juvenile Electronic Tracking System (JETS) - The centralized database utilized to track all youth in OJJ custody or under OJJ supervision.

Override - Objective consideration that can be used to alter the youth's supervision level.

Predisposition Investigation (PDI) - A report prepared for the court by a PPO/J or intern that contains the circumstances surrounding commission of the offense, prior offenses committed by the child, impact on victim, etc., as outlined in Ch. C. Art. 890 and a recommendation for the care, treatment, rehabilitation, and placement of the youth.

Social History - A report prepared by CBS staff which includes a youth's historical information that is collected by staff questioning the youth, his parents / guardians and others who may know, have served or had contact with the youth. The information obtained includes court information, demographics, living demographics, living arrangements, leisure activities, educational history, substance use, peers, mental health, individual traits, and history of abuse or neglect that is used to formulate a recommendation to the court and develop an ISRP to meet the youth's needs.

Structured Assessment of Violence Risk in Youth (SAVRY) - The SAVRY is an evidence-based assessment designed to assist professionals in making judgments about a youth's needs for case planning. This assessment comprises 24 risk/need items identified in existing research on adolescent development and on delinquency and aggression in youth. Six protective factors are included in the SAVRY which have been identified by current research as potentially mitigating the risk of future violence and delinquent activity. The SAVRY utilizes a structured, professional judgment method of assessment, meaning that the individual completing the assessment rates the youth on a number of evidence-based risk factors and then weighs all the information to come to a final determination that the youth is Low, Moderate or High risk for future violence and/or general re-offending.

Supplemental Social - A report to update the information obtained after an initial social history is completed.

Training Records Entry Completed (TREC) - The database used to track training hours of all YS employees.

V. POLICY:

It is the Deputy Secretary's policy that YS shall provide PDIs to the court that give the court timely, relevant and accurate data so that it may select the most appropriate disposition. The PDI shall not be initiated prior to adjudication unless the youth, with advice of counsel, consents. The PDI shall be completed in accordance with Children's Code Art. 890, and presented to the court at the time specified or as determined by the general practice of the court. If the Court does not order a PDI prior to disposition CBS staff shall ask the court to order one.

The contents of the PDI, Social History and Supplemental Social are confidential and shall only be released in accordance with Children's Code Art. 891.

VI. PROCEDURES FOR PDI:

- A. The contents of the PDI are specified in Children's Code Art. 890. The PDI shall include an outline of a potential service plan identifying the major problems to be addressed. Results from the SAVRY as well as other documents such as psychological and psychiatric evaluations, school records, information from prior service providers, etc., shall be considered when preparing a PDI for the court.
- B. When making recommendations to the court, the PPO/J shall consider the youth's overall level of risk for re-offending or being violent, and the items identified in the SAVRY as contributing to the youth's delinquency. The SAVRY is used as a guide to professional risk assessment and intervention planning for violence and delinquency risk management in youth. Ideally, the PDI shall report the Social History/contextual items and Individual/Clinical items where the youth scored "High", and in some cases report items where

the youth scored "Moderate", if these items are relevant for determining a disposition. The court and/or youth's attorney shall only be given the youth's SAVRY score, and shall not be given a copy of the SAVRY form. The SAVRY rating for violence and general delinquency should be presented to the court in the PDI court report or "SAVRY Statement of Findings" form.

- C. In cases where the youth can be safely supervised in the community with services, the PDI should encourage the court to consider probation prior to placing a youth in the YS custody.
- D. There shall be documentation in the case record that all appropriate available services have been utilized to prevent the removal of a youth from his home.
- E. According to Children's Code Art. 901, commitment to the custody of YS may be appropriate if any of the following exists:
 - 1. There is an undue risk that during the period of a suspended commitment or probation the youth will commit another crime.
 - 2. The youth is in need of correctional treatment or custodial environment that can be provided most effectively by his commitment.
 - 3. A lesser disposition will deprecate the seriousness of the youth's delinquent act.
 - 4. The delinquent act involved the illegal carrying, use, or possession of a firearm.
- F. The following criteria shall be considered when recommending placement outside of the home:
 - 1. Risk/needs identified by the SAVRY cannot be met in the community or have been offered and have been unsuccessful, or due to level of risk to the community identified by the SAVRY, it would not be appropriate for the youth to remain in the community.
 - 2. The youth was previously supervised at the highest level available for a reasonable period of time, provided public safety and the youth's welfare are protected.
 - 3. Consideration of placement with grandparents, aunts, uncles, older siblings or friends of the family was considered and determined to be inappropriate. The non-custodial parent should be contacted, as he/she may be a viable resource.
 - 4. If problems at school are the cause for removal, it was determined that other schools/ alternative schools or educational/vocational resources were not available / appropriate.

- G. If the recommendation is that a youth be placed out-of-the-home, the least restrictive setting should be recommended. A youth must receive a "High" rating on the SAVRY to be considered for a secure placement. If secure placement is the recommendation for a youth who rates less than "High" on the SAVRY, a packet which includes the override/staffing form, JETS Master Form, signed Judgment/Custody Order, psychological and/or psychosexual evaluation, and the SAVRY shall be sent to the Regional Director for review and approval.
- H. The PPS/J shall track the completion of the PDI and all reports to ensure timely completion. A case staffing shall be held before the PDI is approved by a PPS/J and submitted to the court. If the PDI cannot be completed by the deadline determined by the court, the court shall be notified immediately in writing.

VII. PROCEDURES FOR SOCIAL HISTORY AND SAVRY:

- A. A Social History and SAVRY shall be completed on every youth committed to YS, regardless of the length of custody. If the court renders a disposition without a PDI, the assigned PPO/J shall complete a Social History and SAVRY within 14 days of receiving the case.
- B. A Social History and SAVRY shall be completed on every youth placed on probation for a period of more than six (6) months, unless the youth is actively participating in a Juvenile Court Drug Program. If a six (6) month probation Informal Adjustment Agreement (IAA) and Deferred Dispositional Agreement (DDA) that was originally for six (6) months or less is extended beyond six (6) months, a SAVRY shall be completed within thirty (30) days from the date the extension is ordered.
- C. The Social History may be completed utilizing one of the approved YS formats (i.e., SAVRY, Social History, Narrative Social History,) located in JETS. The contents of the Social History shall be the same as the PDI without a recommendation for disposition. The court shall be provided a copy of the Social History, unless it has indicated otherwise. Student interns, volunteers, case worker assistants and clerical staff may gather information to complete the PDI or Social History.

VIII. PROCEDURES FOR SUPPLEMENTAL SOCIAL:

- A. In subsequent adjudications, a Supplemental Social may replace a PDI, if approved by the court. A Supplemental Social shall also be completed on each revocation of probation. The Supplemental Social shall provide the court with details of the instant offense(s), any significant changes in the home, the youth's behavior since his last appearance in court and a recommendation for the disposition.

IV. QUALITY ASSURANCE:

- A. Every quarter, the Regional Manager shall review one PDI from each supervisory unit in their office to ensure the following was completed.
 - 1. The PDI was completed by the deadline established by the court.
 - 2. The facts were accurately presented in the report.
 - 3. The recommendation is in agreement with the SAVRY rating.
 - 4. The recommendation includes the appropriate service referrals as identified by the SAVRY.
 - 5. The grammar, spelling and punctuation are correct.

Previous Regulation/Policy Number: D.11.1

Previous Effective Date: 07/08/2014

Attachments/References: